

**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE**

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF RHAMAY GRIMMETT V. COA, ET AL., CIVIL ACTION FILE NUMBER 1:07-CV-03050-TCB, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$45,000.00; OF THIS AMOUNT, AUTHORIZING PAYMENT OF \$45,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 5212005 (LITIGATION EXPENSE), CENTER NUMBER 200101 (NON-DEPARTMENTAL), 1512000 (FUNCTIONAL ACTIVITY), AND AUTHORIZING PAYMENT OF \$45,000.00 TO HIS ATTORNEY, JAN P. COHEN, ESQ., WEINSTOCK & SCAVO, P.C.; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Rhamay Grimmatt vs. City of Atlanta, et al.* is a case in which the Plaintiff, Rhamay Grimmatt, sought remedy and redress for alleged deprivation of his civil rights in violation of 42 U.S.C. § 1983 in an altercation with City of Atlanta police officers which ensued during his arrest and detainment; and

WHEREAS, Plaintiff, in a mediation, has agreed to accept \$45,000.00 in full settlement of all claims against the City of Atlanta and the arresting officers, including interest and attorney's fees; and

WHEREAS, \$45,000.00 is payable to her attorney, Jan P. Cohen, Esq. of Weinstock & Scavo, P.C.; and

WHEREAS, The City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, The City Attorney considered it to be in the best interest of the City to pay the amount of \$45,000.00 to settle all claims against the City of Atlanta and the arresting officers.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of *Rhamay Grimmitt vs. City of Atlanta, et al.* in the amount of Forty-Five Thousand Dollars and Zero Cents (\$45,000.00).

SECTION 2. Said payment is to be charged, paid and issued as follows:

The Chief Financial Officer is authorized to make a payment of \$45,000.00 payable to JAN P. COHEN, ESQ., WEINSTOCK & SCAVO, P.C., 3405 Piedmont Road, NE, Suite 300, Atlanta, Georgia 30305. Such payment shall be made in full consideration of the dismissal of all claims against the City of Atlanta, and its current and former officers and employees.